

**CALENDAR ITEM  
C51**

A 10  
S 2

10/14/14  
PRC 7803.1  
D. Simpkin

**GENERAL LEASE – RECREATIONAL USE**

**APPLICANT:**

Christopher B. McCluney, Trustee of the Christopher B. McCluney Trust 1991  
u/t/a dated October 17, 1991

**AREA, LAND TYPE, AND LOCATION:**

Sovereign land in Corte Madera Creek, adjacent to 25 Boardwalk One, Larkspur,  
Marin County.

**AUTHORIZED USE:**

Use and maintenance of an existing boat dock, ramp, and two pilings.

**LEASE TERM:**

10 years, beginning December 1, 2014.

**CONSIDERATION:**

\$125 per year, with an annual Consumer Price Index adjustment.

**SPECIFIC LEASE PROVISIONS:**

Liability insurance in the amount of no less than \$1,000,000 per occurrence.

**OTHER PERTINENT INFORMATION:**

1. Applicant owns the upland adjoining the lease premises.
2. On February 17, 2005, the Commission authorized issuance of Lease No. PRC 7803.9, a Recreational Pier Lease, to Christopher B. McCluney, Trustee of the Christopher B. McCluney Trust 1991 u/t/a dated October 17, 1991, for a period of 10 years, for use and maintenance of a boat dock, ramp, and two pilings. The lease will expire on November 30, 2014. The Applicant is now applying for a new lease.
3. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1,

CALENDAR ITEM NO. **C51** (CONT'D)

Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

**EXHIBITS:**

- A. Land Description
- B. Site and Location Map

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**CEQA FINDING:**

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

**SIGNIFICANT LANDS INVENTORY FINDING:**

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

**AUTHORIZATION:**

Authorize issuance of a General Lease – Recreational Use to Christopher B. McCluney, Trustee of the Christopher B. McCluney Trust 1991 u/t/a dated October 17, 1991, beginning December 1, 2014, for a term of 10 years, for the use and maintenance of an existing boat dock, ramp, and two pilings as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$125 with an annual Consumer Price Index adjustment ; and liability insurance with coverage of no less than \$1,000,000 per occurrence.

**EXHIBIT A**

**PRC 7803.1**

**LAND DESCRIPTION**

A parcel of tide and submerged land situate in the bed of the Corte Madera Creek, lying adjacent to Rancho Corte Madera del Presidio, approved March 24, 1883, Marin County, State of California and more particularly described as follows:

All those lands underlying an existing floating boat dock, two pilings and ramp lying adjacent to those parcels described in Deed of Trust recorded August 20, 1993 in Official Records of said County.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the right bank of said creek.

Accompanying plat is hereby made part of this description.

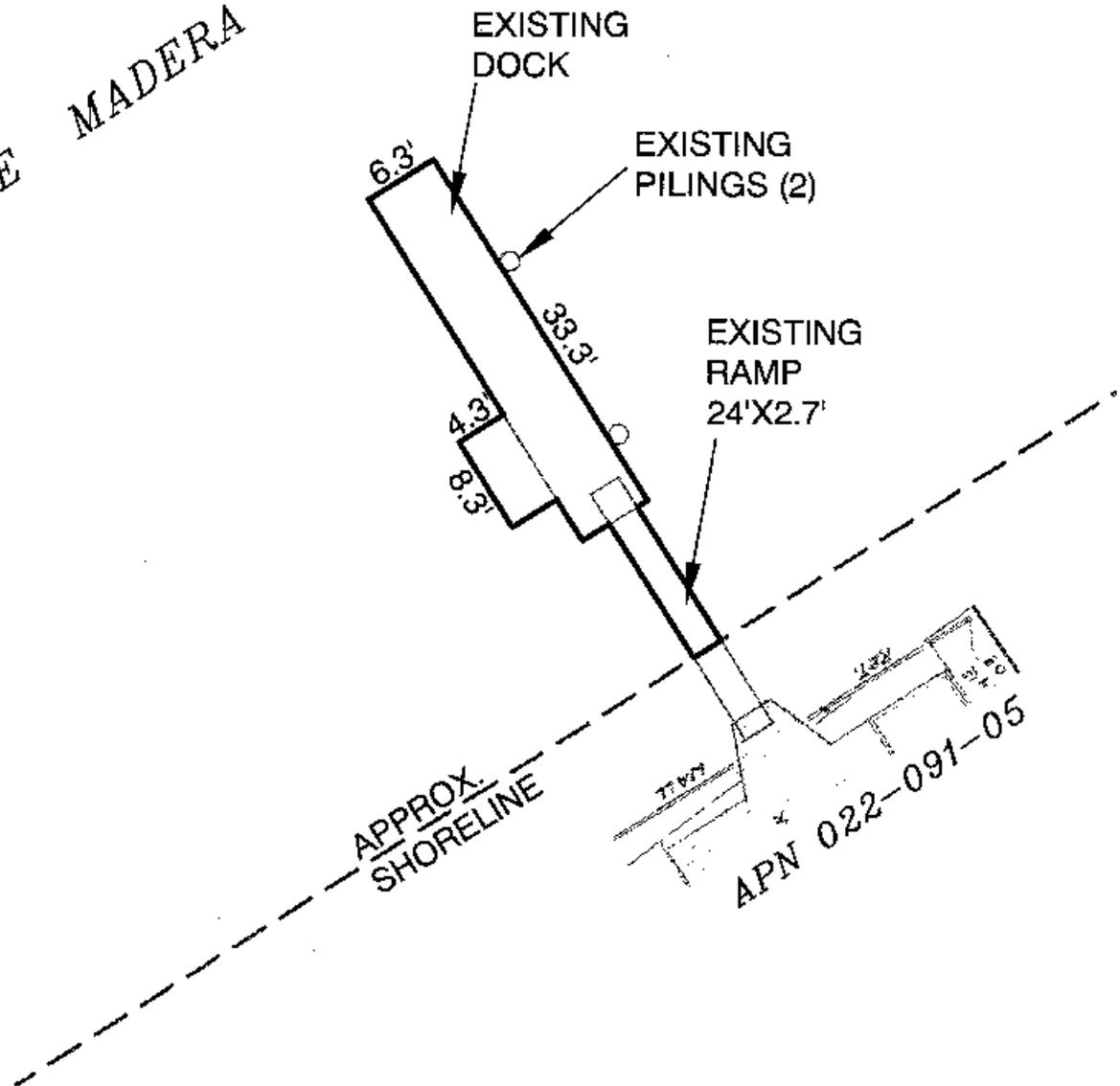
**END OF DESCRIPTION**

Prepared 08/28/14 by the California State Lands Commission Boundary Unit





CORTE MADERA CREEK



### EXHIBIT A

Page 2 of 2

TS 08/28/14

LAND DESCRIPTION PLAT  
PRC 7803.1, MCCLUNEY  
MARIN COUNTY

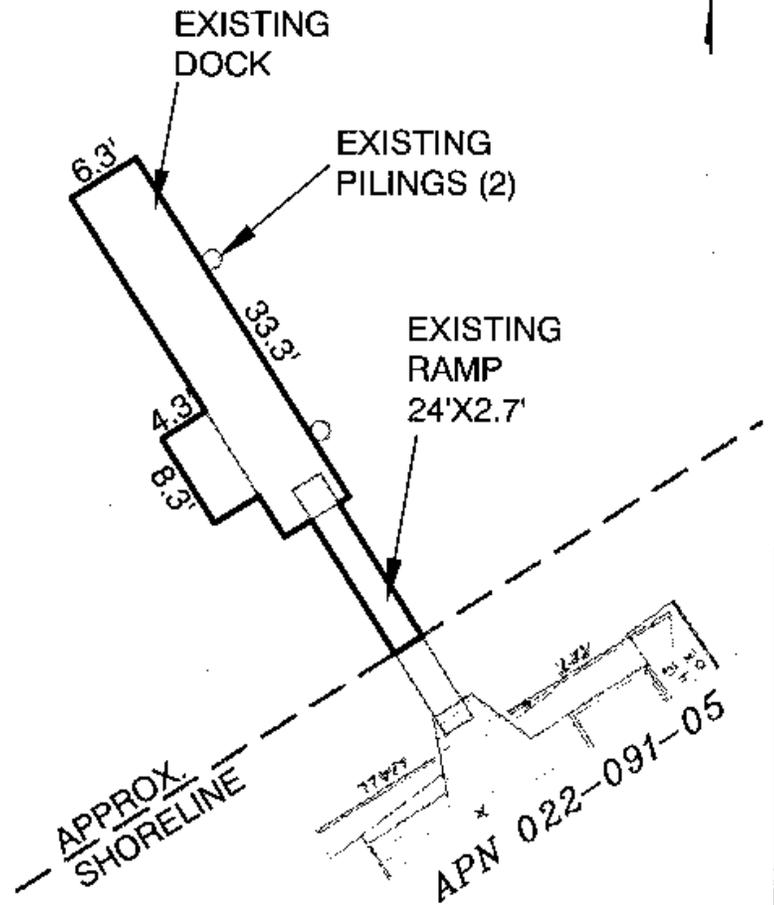
CALIFORNIA STATE  
LANDS COMMISSION



NO SCALE

### SITE

CORTE MADERA CREEK



25 BROADWALK ONE, LARKSPUR

NO SCALE

### LOCATION



MAP SOURCE: USGS QUAD

### **Exhibit B**

PRC 7803.1  
 MCCLUNEY  
 APN 022-091-05  
 GENERAL LEASE -  
 RECREATIONAL USE  
 MARIN COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.